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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing      OR      ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

<b>Attorney Docket Number</b>	120-344
<b>Nortel Ref:</b>	16601ROUS01U
<b>First Named Inventor</b>	Haves

**COMPLETE IF KNOWN**

<b>Application Number</b>	
<b>Filing Date</b>	Herewith
<b>Art Unit</b>	
<b>Examiner Name</b>	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**System and Method for Improving Video Quality Using a Constant Bit Rate  
Stream**

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)  as United States Application Number or PCT InternationalApplication Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patent, Washington, DC 20231.

PTO/SB/01 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## DECLARATION – Utility or Design Patent Application

Direct all correspondence to:

☒ Customer Number  
or Bar Code Label

34845

OR

☐ Correspondence address below

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any])

**Hasler**

Family Name

or Surname

**Hayes**

Inventor's

Signature

Date

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR JOINT INVENTOR:

☐ A petition has been filed for this unsigned inventor

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PATENT/DOCKET NO. 120-344  
Nortel Ref: 16601ROUS01U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Hayes

Serial No.: n/a

Filed: Herewith

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Group Art Unit: n/a

Title: System and Method for Improving Video Quality Using a Constant Bit Rate Stream

Examiner: n/a

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

POWER OF ATTORNEY FOR  
PATENT APPLICATION

Nortel Networks Limited, a Canadian corporation having principal offices at:

Nortel Networks Limited  
2351 Boulevard Alfred-Nobel  
St. Laurent, Quebec H4S 2A9, Canada

the owner by assignment of the entire right, title and interest to the invention for System and Method for Improving Video Quality Using a Constant Bit Rate Stream and in and to the application for patent and any Letters Patent, whether domestic or foreign, that may issue thereon, by virtue of the assignment (check as applicable):

☒ Recorded Concurrently Herewith  
☐ Recorded on \_\_\_\_\_  
☐ Recorded at Reel \_\_\_\_\_ Frame \_\_\_\_\_  
☐ Copy Attached

hereby appoints the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Steubing McGuinness & Manaras LLP  
Mary Steubing, Reg. No. 37,946  
Lindsay G. McGuinness, Reg. No. 38,549  
David A. Dagg, Reg. No. 37,809

its attorneys with full power of substitution and revocation, to prosecute all domestic and foreign patent applications, including PCT and EPO filings, relating to said invention and to transact all business connected therewith, including signing of all papers on its behalf and making alterations and amendments.

The undersigned is the representative for the Assignee of the entire right, title, and interest in the patent application identified above, and is authorized to act on behalf of the Assignee.

NORTEL NETWORKS LIMITED

23 March 2004  
Date

*Malcolm W. Anderson*  
Name: Malcolm W. Anderson  
Corporate Counsel  
Title

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